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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,480	12/22/1999	TOMOKI SAEKI	RCA87619A	5017

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EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 04/23/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/469,480

Applicant(s)

Saeki

Examiner

Christopher O. Onuaku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
2. Claims 1-9&11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Lane et al (US 5,377,051).

Regarding claim 1, Lane et al disclose video receivers that are capable of receiving commands and/or detecting trick play modes or recorder operation and performing, e.g., error concealment operations in response to the received commands or detected mode of trick play recorder operation, comprising the method step of:

a) processing the digital signal to form first and second record signals (see Fig. 10, col.37, line 40 to col.38, line 5), here the VTR recording circuit supports the recording of trick play data in specific play tape segments. The trick play data may comprise a subset of the normal play data, a copy of a subset of the normal play data, or it may comprise data which are not part of the normal play data stream, e.g., trick play motion vectors; examiner reads the normal play data as first record signal and trick play data as the second signal;

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b) recording the first record signal in a first part of the track (see Fig.12(a) and the portions of the tape labeled NP; col.40, lines 31-53);

c) recording the second record signal in a second part of the track smaller than and separate from the first part of the track (see Fig.12(a) and the portions of the tape labeled TP; col.40, lines 31-53; also col.39, lines 7-22); and

d) reproducing the first and second record signal from the first and second parts of the track (see Fig. 1; col.52, line 50 to col.54, line 45; and also col.38, lines 6-26).

Regarding claim 2, Lane discloses the method step of:

e) decoding the second record signal (trick play signal) for display during operation at a trick play speed (see col.39, lines 7-22 and col.56, lines 21-37).

Regarding claim 3, Lane discloses the method step of:

f) decoding the second record signal (trick play signal) for display during operation at a trick play speed (see col.44, lines 13-31).

Lane fails to explicitly disclose the method step of

Regarding claim 4, Lane discloses the method step of processing an MPEG encoded signal to form the first record signal for reproduction at normal speed and the second record signal for reproduction at the trick play speed (see col.20, line 51 to col.21, line 4; and col.24, lines 12-24).

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Regarding claim 5, Lane discloses the method step of processing the digital representative signal to form a trick play signal for recording the second record signal (see col.20, line 25 to col.21, line 68).

Regarding claim 6, Lane discloses the method step of processing the digital representative signal to form a replay speed specific trick play signal for recording the (see col.31, lines 45-64 and col.41, lines 3-25).

Regarding claim 7, Lane discloses the method step of multiplexing the first and second record signals to form a signal for recording in the first part of the helically scanned track (see col.37, line 62 to col.38, line 5).

Regarding claim 8, Lane et al disclose video receivers that are capable of receiving commands and/or detecting trick play modes or recorder operation and performing, e.g., error concealment operations in response to the received commands or detected mode of trick play recorder operation, comprising the method step of:

a) processing the MPEG encoded signal to form first record and second record signals (see col.20, line 51 to col.21, line 4; and col.24, lines 12-24);

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b) multiplexing the first and second record signals to form a signal for recording in the first part of the helically scanned track (see col.37, line 62 to col.38, line 5);

c) recording at least one of a specific trick play signal and an ATV signal in a second part of the track separate from the first part of the track (see Fig. 12(a) and the portions of the tape labeled TP; col.40, lines 31-53; also col.39, lines 7-22).

Regarding claim 9, Lane discloses the method step of reproducing the recorded signals from the first of the track (see Fig. 1; col.52, line 50 to col.54, line 45; and also col.38, lines 6-26); said first record signal for use at normal play speed and said second record signal for use at trick play speed (see col.20, line 51 to col.21, line 4; and col.24, lines 12-24).

Regarding claim 11, Lane discloses the method wherein signals recorded in the first part of the track represent one of an MPEG signal and a digitally encoded video signal (see col.20, line 51 to col.21, line 4; and col.24, lines 12-24).

Regarding claim 12, Lane discloses the method wherein signals recorded in the second part of the track represent one of a trick play signal and a digitally encoded audio signal (see col.20, line 25 to col.21, line 68).

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Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al

Regarding claim 10, Lane discloses the method step comprising reproducing the recorded signals from the second part of the track and the speed specific trick play speed for trick play operation (see Fig.1; col.52, line 50 to col.54, line 45; and also col.38, lines 6-26). Lane fail to explicitly disclose reproducing the ATV signal during trick play operation for ATV signal display.

However, the claimed ATV signal is anticipated by HDTV signal disclosed by Lane in at least col.24, lines 12-43, col.25, line 62 to col.26, line 4 and col.31, line 24 to col.32, line 4. And, even if the ATV signal is not met by the HDTV signal disclosed by Lane, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well known ATV signal to Lane in order for Lane to process ATV signals in trick play operations and to display the ATV signals during trick play operation.

Conclusion

5. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The

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examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Andrew B. Christensen, can be reached on (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

and (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service whose telephone number is (703) 306-0377.


COO

4/12/03


THAI TRAN
PRIMARY EXAMINER